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MINUTES OF THE AYUNTAMIENTO OF SAN FELIPE
DE AUSTIN, 1828-1832

IX

EDITED BY EUGENE C. BARKER

[p. 81] List of the Individuals who were voted for Sindico
procurador at the Municipal election held on the 12 and 13 of
the present month in conformity with the 164th Article of the
Constitution and 97th and 100th articles of Law 37

Robert M. Williamson reed.....	250	votes
Stephen Richardson “	56	“
William Robinson “	2	“
Isaac M. Pennington “	1	“

Town of Austin 19th Decr 1830

Thos. Barnett

John W. Moore	Jesse Grimes
Saml Peniston	John Huff
Thos. H. Mays	Martin Allen
C. B. Stewart	Thos. Cayce
J. D. Morris	

In continuation, and in the same town place day and month
and year the Ayuntamto. proceeded in conformity with the re-
quisites of the 158th Article of the Constitution and 106th Article
of Law No. 37 and in presence of the same members and other
presidents tellers and Secretaries of the Municipal electoral as-
semblies and in presence of the lists formed the three general lists
of the persons who were voted for Comisarios and sindicos of
precinct and in conformity therewith the president declared con-
stitutionally elected Comisario of the precinct of San Jacinto
Citizen Samuel C. Hiram and for sindico of the same precinct
Citizen Samuel C. Bundick having reed the majority of votes,
and citizen Francis Holland as Comisario and Citizen Jesse Grimes
for sindico of the precinct of Viesca, having reed the majority
of votes, and Citizen William Barton as Comisario y Citizen
Thomas H. Mays as sindico of the precinct of Bastrop having reed
the majority of votes and Lawrence Ramey as Comisario and citi-

zen Thomas Jamieson as sindico of the precinct of Mina having received the majority of votes, and Citizen Henry Smith as Comisario and Asa Brigham as sindico for the precinct of Victoria having received the majority of votes and Citizen [blank] as Comisario and Citizen [blank] as sindico for the precinct of Guadalupe in the Colony of the Empresario Green De Witt having recd the majority of votes and the body ordered [p. 83] that the two copies of the lists should be made out and one of them immediately posted in a public place the originals to be filed, and the session was adjourned

Thos. Barnett

Samuel M. Williams

Secy

In the town of San Felipe de Austin 31 Decembr 1830. The Ayuntamiento. met this day in extra session the following members being present Thomas Barnett president, Jesse H. Cartwright 2d Regidor Walter C. White 3d Regidor, Churchill Fulchear 4th regidor y William Pettus sindico procurador. A report was presented to the body by the sindico procurador made by Francis W. Johnson relative to the discharge of the duties conferred on him by the Ayuntamiento. as a special Commissioner of the body appointed 24th Novembr last which report was read, and approved and ordered to be filed.

A petition of Martin Allens praying for the extension of twelve months time for the payment of thirty dollars, due by him to the municipality, which after a full discussion of the merits of the petitioner, was granted, and it was ordered that twelve months additional time be added to the original time for the payment of said sum of thirty dollars.

A petition of Thomas Westalls praying that Eighteen months additional time may be allowed him for the fulfilment of his contract with the Ayuntamiento. to improve [p. 84] certain lots in this town. In consideration of his having engaged to build a school house and other buildings on the gulph prairie. The prayer of the petitioner was granted on the condition that he does build the school house etc. which he states he has undertaken to do otherwise he will not be exempted from the improvement of the lots which will remain subject [to] the ordinance A petition of Samuel H. Hardens praying that the title to lots Nos. 70 and 71

purchased by him and afterwards taken by Ira Ingram, may be made to said Ingram. The prayer of sd petition was granted and the title ordered to be issued as soon as the lots are improved.

A petition of Thomas Davis praying that the title to lot No. 73 and out lot No. 53 which were bo't by Charles Smith and for which sd Davis was security, may issue to him the sd Davis inasmuch as Smith has abandoned them and he Davis has paid for them. The prayer was granted and the title ordered to be issued when the conditions are complied with.

An account was presented by the sindico procurador to the body from Francis W. Johnson amtg to 63 37/100 for expenses incurred by him in the expedition ordered by the ayuntamto. of which he was the Commissioner of the body which was admitted and the balance due ordered to be paid to Mr. Johnson from the first funds belonging to the Municipality.

An account was presented by Samuel M. Williams collector of stamp dues for the amt due him for stamp paper furnished the ayuntamto and also for postage due him as postmaster the whole amtg to \$11-6 bitts Eleven dolls 75/100 which amt was ordered to be paid sd Williams from the first cash funds of the municipality.

An account was presented to the body containing a charge of 20 50/100 for ironing League and Ingram and taking off their irons and fifty dollars for a horse, which had been lost by Mr. Thos Gray on the expedition to Gonzales—The Ayuntamto. refused to admit the first charge inasmuch as the expense was incurred for the special convenience of sd Ingram and League and therefore considered it right they should pay it themselves⁴⁰ [p. 85.] With respect to the item for the horse, the Ayunto. considered the charge exorbitant and had the horse valued by three persons who well knew his value viz Oliver Jones F. W. Johnson and Saml O. Pettus who estimated the horse to be worth 25\$ which amt was admitted and ordered to be pd. out of any unappropriated funds to the legal owner of the sd. horse.

In conformity with a previous notification of the Ayunto. to that effect: John Partin personally appeared before the body this day and produced evidence which to the ayuntamto. was satisfactory that the errors committed by Partin were not criminal,

⁴⁰For the previous history of these unfortunates see *THE QUARTERLY*, XXII, 188, 354.

the body therefore resolved that the sd. Partin should be released from the injunction which the body had put on his admission as a settler and further ordered that the Empresario Austin be notified that there no longer exists any impediment to sd. Partins receiving land as a settler.

The following resolutions were then passed by the Ayto.

First that Citizens Horatio Chriesman, G. E. Edwards, James Lynch, Oliver Jones, and William Pettus be and are hereby appointed as Commissioners to lay out a road from the town of Sn Felipe de Austin to the present residence of Joel Lakey and report the same to this body as soon as possible

Second that Citizens John W. Hall, Amos Gates, James Bradbury, Gibson Kuykendall, and Joel Lakey be and are hereby appointed Commissioners to lay out a road from the present residence of Joel Lakey to the crossing of the Labahia road on the river Brazos.

Third That Citizens Abner Lee, John P. Coles, Nestor Clay John Cole and George Erving be and are hereby appointed Commissioners to lay out a road from the present residence of Joel Laky to the garrison on the river Brazos.

On motion of William Pettus sindico procurador, it was ordered that one months time be given to Dudley White and Christian Wertzner to pay for the lots which they purchased and further that notice be given in the next [p. 86] number of the Texas Gazette that the said lots will be sold on the first day of Feby next unless they be paid for on or before that time, for and on acct of the said White and Wertzner.

The President of the body Thomas Barnett who has been acting as Treasurer of the body presented the statement of the ingress and egress of the funds placed in his hands and of the administration of the same during the present year which statement after having been carefully examined by Walter C. White regidor and Samuel M. Williams Secretary as a committee appointed for that purpose was found to be correct and it was therefore admitted and approved of by the body and ordered with the general statement to be passed to the new Ayuntamiento.

On motion of the Sindico procurador William Pettus, it was resolved by the Ayuntamiento. that the houses and lots purchased by a voluntary subscription of the citizens of the municipality, for

a church, of Nicholas Clopper, the title of which property has been vested in the municipality be accepted and declared the property of the municipality and as such passed to the new Ayuntamiento. the same having been a voluntary donation from the Citizens.

On motion of William Pettus Sindico procurador, it was ordered that the amt due to Samuel M Williams for his services as Secretary protem and Secretary of the body since the removal of George Fisher, up to the end of the present year, the same being two months and a half at the rate of 800\$ per annum amtg to 166 dollars 66/100 be and is hereby allowed and awarded to said Williams to be paid out of the first funds of the municipality. The body then adjourned until tomorrow at 10 oclock

Thos Barnett

Samuel M. Williams

Secy

[p. 87] In the Town of San Felipe de Austin first January 1831 conformably with the municipal ordinances The Ayuntamiento met this day the following members being present Thomas Barnett prest. Jesse H. Cartwright 2d Regidor, Walter C. White 3d Regidor Churchill Fulcheare 4th Regidor and William Pettus Sindico procurador, and the session being declared by the president as open, and on account of a previous notification to that effect, Mr. Francis W. Johnson, the Alcalde elect presented himself before the body and took the oath prescribed by the 22d article of the Constitution which was administered by the prest. of last year—After which act the Sindico procurador notified the body that there were no others of the new members present, and this act was closed. The prest. of the old body then presented a written report of the general affairs of the Municipality during last year and of the reforms necessary after its having been read the new president ordered a session to be held on the 17th for the purpose of appointing committees and the Ayuntamiento. adjourned.

Thos. Barnett

Samuel M. Williams

Secy⁴¹

[p. 1.] En la villa de San Felipe de Austin a 17 de Enero de 1831—

⁴¹Volume 2 of the manuscript ends here.

The Ayuntamiento. met this day pursuant to an order of the president, present the following members Francis W. Johnson, prest. Walter C. White 1st Regidor Randall Jones 3d Regidor and R. M. Williamson sindico procurador. The Ayuntamiento. proceeded to examine the report of Mr. Thomas Barnett the former president and treasurer of the body, the account of the said treasurer of the ingress and egress of the funds of the municipality under his charge during the last [year?] and also a statement of the debts due by the Ayunto. and debts due to it, and after a careful examination they were approved of and the ayuntamiento. ordered that a succinct statement of the situation of the municipal funds be published for the information of the inhabitants of the Jurisdiction.

The Ayuntamiento then proceeded to the appointment of a treasurer and on motion of R. M. Williamson, Francis W. Johnson the president of the body was duly appointed Treasurer to this municipality in conformity with the provisions of the municipal ordinance.

The ayuntamiento. adjourned until tomorrow morning at 10 o'clock

The 2d and 4th Regidors did not attend this session

Samuel M. Williams

Secy

[p. 2] In the town of Austin 18th Jany 1831 the Ayuntamiento. met pursuant to the adjournment of yesterday present F. W. Johnson president and Walter C. White 1st Regidor, Randall Jones 3d Regidor and R. M. Williamson Sindico procurador.

The subject of the appointment of a secretary to the body was introduced by the president, and discussed by different members in regular order, and it was resolved that inasmuch as the members of the body are absent and it being desirable that all of them should be present at the time of appointing the Secretary, the matter be postponed until the next meeting, and that the present Secretary continue discharging the duties until a further resolution of the body relative thereto.

The subject of the various claims in favor of the municipality arising from fines etc. etc. on some of which judgments have been entered, was introduced by the president and after an examination, and full discussion by the body, it was resolved that R. M. William-

son be appointed a committee to whom shall be referred the whole matter, and that all the documents etc. now in the possession of the body relative to it as also the list and documents relative to the tax on town lots, in this town, now in the possession of the former Sindico procurador, be given to the said Williamson, for his examination and in order to enable him to report, to the body at the next meeting, the true situation of all such matters.

The Ayuntamto. further ordered that the president be authorised to pay out of the first funds collected and belonging to the Municipal funds for the translation of the evidence taken in the case of Ingram and League.

It was further ordered by the Ayuntamto. that the president of the body adopt such measures not [p. 3] contrary to the existing laws, as [several illegible words interlined] may secure the persons of the criminals now under restraint and also all others that may hereafter require confinement while the municipality is without a public prison or jail, as in his judgment may fulfil the objects and intentions of the laws and at the same time be the least bothersome and expensive to the municipality, and defray the expenses which may be incurred from any funds of the municipality not otherwise appropriated

The president introduced for discussion the propriety of raising a company of Rangers for the protection of the frontier settlements of this municipality against the inroads and hostilities of barbarous Indians, and urged the necessity of the adoption of this or some other measure to secure the inhabitants from Indian invasion, after mature discussion of the subject by the members in regular order, and taking into consideration the peculiar situation of the municipality with respect to public funds for the defraying of the necessary expenses of a number of men who would be sufficient to guard and protect the frontier, the body resolved as the most expedient that an official letter be addressed to the Lieut Col. Commandant of the Batallion of Austin,⁴² requiring him to furnish the necessary number of Militia men, by draft or other wise, to act as Rangers on the frontiers of the Municipality.

On motion of the Sindico procurador, it was ordered that the president be authorized to pay out of any of the municipal funds not otherwise appropriated for the translation of Law No. 104

⁴²This was Stephen F. Austin.

of the Legislature of the State, and further ordered by the Ayuntamiento, that the President of the body be [p. 4] authorized to contract for the printing in the English language of 100 copies of said law No. 104 and No. 39⁴³ and pay for the same out of any unappropriated funds of the municipality. On motion of the first regidor Walter C. White ordered that the municipal surveyor Thos. H. Borden be authorized to run a straight line from the point two miles beyond that known as the Eight mile point to the house of Josiah H. Bell provided a contract can be made with him to do the same for a moderate compensation, and that Citizens Thos. Gray and Jesse Thompson be appointed commissioners in conjunction with the said Surveyor to review the ground over which said line may pass and report as to the practicability and propriety of making a road in conformity with this line from this town to the house of said J. H. Bell.

On motion of the 3d Regidor Randall Jones ordered that James W. Jones and George Huff be appointed commissioners to lay off a road from the house of said Huff to that of Wililam Mortons on the Brazos

An account was presented to the body by G. B. Cotten printer for advertising in the Gazette for subscribers to the church to make payment amtg. to five dollars which was admitted, and ordered the same to be paid also an order of Thomas Barnett agent for William Barnett in favor of Thomas Davis for 44 66/100 which was ordered to [be] passed to the credit of said Davis and charged to the act of said William Barnett, and also the amount due the municipality by the said Thomas Barnett, being \$54 99/100 was settled by being placed to the debit of William Barnett making both items the amt of \$99 68/100

[p. 5] A petition was presented to the body by the sindico procurador from Nathaniel Townsend praying that a title may issue to him for building lots Nos. 143, 144 and 181, he having complied with the requisitions under which they were sold. which prayer was granted and the title ordered to be issued.

A petition from Samuel H. Harden was presented to the body by the sindico procurador praying that a title may issue to him for building lots Nos. 137 and 138, he having complied with the requisitions under which they were obtained. Which was granted

⁴³See THE QUARTERLY, XXII, 193, and note 32.

and the title ordered to be issued, reformed by order and the title to issue to Francis W. Dempsey. A petition from William H. Jack was presented to the body by the sindico praying for a dispensation of the provisions under which he purchased out lot No. 66 which was objected to by the body and the prayer refused.

The body adjourned—the 2d and 4th Regidores not having attended the session.

Samuel M. Williams

[p. 6] In the town of San Felipe de Austin 8th March 1831 At a meeting of the Ayuntamiento. in ordinary session in the public hall of the municipality were present El Señor Francis W. Johnson Prest—Randall Jones 2d Regidor—William Robinson 3d Regidor and R. M. Williamson Sindico procurador.

The ayuntamiento. resolved, that inasmuch as there is reason to believe that the H. Congress of the State considering the peculiar circumstances in which the inhabitants of Texas are placed as regards the administration of justice contemplate appointing circuit judges, and form circuit courts. This Ayuntamiento. considering the personal merits, moral and political virtues, and information and knowledge of the laws that are attached to citizen Luke Lessasier recommend him through the members of the Legislature from Texas to the consideration of the Legislature of this State as a person fully qualified and capable of discharging the duties of a circuit judge.

Likewise the Ayuntamiento. in consideration of the moral and political virtues, and also the knowledge of the laws, as found in the person of Robert M. Williamson recommend him in the same manner for the appointment of prosecuting Attorney in case that by the organic law there should be provision made for a prosecuting Attorney for the circuit courts. Besides the ayuntamiento ordered that a certified copy of this act be made out and remitted to Citizen Stephen F. Austin in [p. 7] that it may supply its corresponding effects and the body adjourned until tomorrow 10 o'clock.

Samuel M. Williams

Secy.

[p. 8] Town of Austin 9th March 1831. The Ayuntamiento. met this day pursuant to adjournment—present the same members to wit Francis W. Johnson Prest, Randall Jones 2d Regidor

William Robinson 4th Regidor and R. M. Williamson Sindico procurador. On motion of the president the subject of the appointment of a Secretary to the body for the present year was discussed, and the appointment conferred on Citizen Samuel M. Williams who has been discharging the duties of Secretary provisionally, with the salary of 800\$ per annum.

A petition was presented by the Sindico procurador from the first regidor Walter C. White praying leave of absence for three months, for the purpose of attending to some important individual affairs, the petition was read and granted by the body.